

Remarks/Arguments

Claims 1-134 are pending. Applicants respectfully request reconsideration and allowance of the claims in light of the following remarks.

The Office Action requires restriction between what are asserted to be twenty-one (21) separate and distinct inventions defined in the Office Action as follows:

Group I – Claims 1-3 to a method for diagnosing a cancer using SPHK1 gene copy number;

Group II – Claim 4-9, 14-20 to SPHK1 nucleic acid based methods of treating cancer;

Group III – Claims 10-11 to SPHK1 protein inhibition based methods of treating cancer;

Group IV – Claims 12-13 to a method for diagnosing a cancer using SPHK1 protein level;

Group V – Claims 21-32 to methods for screening a molecule having SPHK1 antagonist activity and for determining treatment efficacy;

Group VI – Claims 33-35 to a method for diagnosing a cancer using EDG4 gene copy number;

Group VII – Claim 36-41, 46-52 to EDG4 nucleic acid based methods of treating cancer;

Group VIII – Claims 42-43 to EDG4 protein inhibition based methods of treating cancer;

Group IX – Claims 44-45 to a method for diagnosing a cancer using EDG4 protein level;

Group X – Claims 53-64 to methods for screening a molecule having EDG4 antagonist activity and for determining treatment efficacy;

Group XI – Claims 65-67 to a method for diagnosing a cancer using EDG5 gene copy number;

Group XII – Claim 68-73, 78-84 to EDG5 nucleic acid based methods of treating cancer;

Group XIII – Claims 74-75 to EDG5 protein inhibition based methods of treating cancer;

Group XIV – Claims 76-77 to a method for diagnosing a cancer using EDG5 protein level;

Group XV – Claims 85-96 to methods for screening a molecule having EDG5 antagonist activity and for determining treatment efficacy;

Group XVI – Claims 97-99 to a method for diagnosing a cancer using EDG8 gene copy number;

Group XVII – Claim 100-105, 110-116 to EDG8 nucleic acid based methods of treating cancer;

Group XVIII – Claims 106-107 to EDG8 protein inhibition based methods of treating cancer;

Group XIX – Claims 108-109 to a method for diagnosing a cancer using EDG8 protein level;

Group XX – Claims 117-128 to methods for screening a molecule having EDG8 antagonist activity and for determining treatment efficacy;

And finally

Group XXI – Claims 129-134 directed to a method of treating cancer using an antibody to S1P.

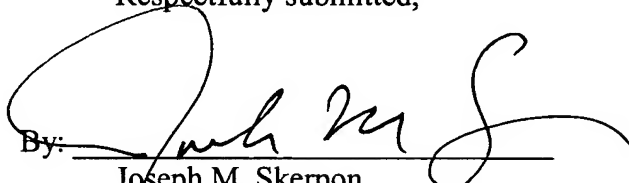
In response to the Restriction Requirement, applicants elect the invention of **Group I**, a method for diagnosing a cancer using SPHK1 gene copy number, and involving claims 1-3.

Applicants request reconsideration of the restriction of claims 29 and 30 and part of Group V from the claims collected in Group I. Like the claims of Group I, claims 29 and 30 require the measuring of SPHK1 gene copy number as an operative step. Applicants submit that this measurement step links these claims together sufficient for them to be examined together.

Consideration and formal allowance of the elected claims thus are respectfully requested.

Respectfully submitted,

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